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U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number <b>09/718,717</b>
		Filing Date <b>November 22, 2000</b>
		First Named Inventor <b>JAKOBIVITS, AYA</b>
		Group Art Unit <b>1636</b>
		Examiner Name <b>T. McKelvey</b>
Total Number of Pages in This Submission		Attorney Docket Number <b>ABGX001CON3</b>

TECH CENTER 1600  
APR 11 2002  
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**ENCLOSURES (check all that apply)**

<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Documents <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers <i>(for an Application)</i> <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input checked="" type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group <i>(Appeal Notice, Brief, Reply Brief)</i> <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i> 1) Request to Correct Filing Receipt (1 pg.) 2) Copy of Marked-Up Filing Receipt (3 pgs.) 3) Copy of Certificate of Correction Signed and Sealed on October 2, 2001 (1 pg.)	
			<input type="checkbox"/> Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm or Individual Name	PAULA A. BORDEN, Reg. No. 42,344	
Signature		
Date	March 7, 2002	

**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: March 7, 2002.

Typed or printed name	Cindy Kim Hoang	
Signature		
	Date	March 7, 2002

Burden Hour Statement: This form is estimated to take .2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

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PTO/SB/17 (10-01)

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**FEET TRANSMITTAL  
for FY 2002**

*Patent fees are subject to annual revision.*

**TOTAL AMOUNT OF PAYMENT** **(\$)** 1030.00

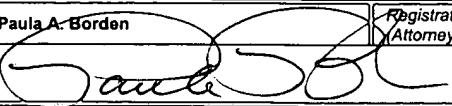
METHOD OF PAYMENT					
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit overpayments to: Deposit Account Number 50-0815 Deposit Account Name Bozicevic, Field &amp; Francis LLP</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant Claims small entity status. See 37 CFR 1.27</p>					
<p>2. <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Credit Card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>					
FEE CALCULATION					
2. BASIC FILING FEE					
Large Entity Fee Code (\$)	Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
<b>SUBTOTAL (1)</b>					0.00

1. EXTRA CLAIM FEES					
Fee from Extra Claims below Fee Paid					
Total Claims	12	-20**	=	x	=
Indep. Claims	3-5**	=	x	=	
Multiple Dependent				=	
Large Entity Fee Code (\$)	Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
<b>SUBTOTAL (2)</b> \$ 0.00					

*\*\*or number previously paid, if greater; For Reissues, see above.*

Complete if Known					
Application Number	09/718,717				
Filing Date	November 22, 2000				
First Named Inventor	JAKOBIVITS, AYA				
Examiner Name	T. McKelvey				
Group Art Unit	1636				
Attorney Docket No.	ABGX001CON3				

FEE CALCULATION (continued)					
3. ADDITIONAL FEES					
Large Entity Fee Code (\$)	Fee (\$)	Small Entity Fee Code (\$)	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge – late filing fee or oath	
127	50	227	25	Surcharge – late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examination action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	920.00
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	For each additional invention to be examined (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____ Terminal Disclaimer Fee _____					110.00
<b>SUBTOTAL (3)</b> (\$ 1030.00					

SUBMITTED BY					
Complete (if applicable)					
Name (Print/Type)	Paula A. Borden		Registration No. (Attorney/Agent)	42,344	Telephone (650) 327-3400
Signature				Date	03/07/2002

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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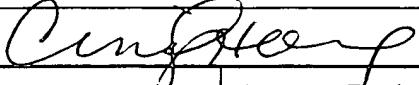


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Atty Dkt. No.: ABGX001CON3  
USSN: 09/718,717

**CERTIFICATE OF MAILING**

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Typed or Printed Name	Cindy Hoang		
Signature		Date <u>3/7/02</u>	
<b>REQUEST FOR CORRECTED FILING RECEIPT</b>  Address to: Commissioner for Patents Washington, D.C. 20231		Attorney Docket	ABGX001CON3
		First Named Inventor	Jakobovits et al.
		Application Number	09/718,717
		Filing Date	November 22, 2000
		Group Art Unit	1636
		Examiner Name	Unassigned
		Title	Generation of Large Genomic DNA Deletions

Sir:

A filing receipt for the above-identified patent application has been issued by the U.S. Patent and Trademark Office (copy attached) and has been found to contain the following error(s):

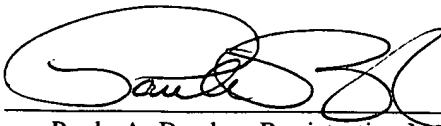
- (1) The Continuing Data as claimed by Applicant should read -This application is a CON of 09/348,747, 07/06/1999, ABN; Which is a CON of 08/808,139, 02/28/97, PAT 5,998,209; Which is a CON of 08/426,555, 04/21/1995 ABN-

A copy of the Certificate of Correction from 08/808,139, 02/28/97, PAT 5,998,209 is enclosed to support the Request to Correct Filing Receipt.

If for any reason a fee is found to be necessary, the Commissioner is authorized to charge such fee to Deposit Account No. 50-0815.

Respectfully submitted,  
 BOZICEVIC, FIELD & FRANCIS LLP

By:

  
 Paula A. Borden, Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP  
 200 Middlefield Road, Suite 200  
 Menlo Park, CA 94025  
 Telephone: (650) 327-3400 Facsimile: (650) 327-3231



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## UNITED STATES PATENT AND TRADEMARK OFFICE

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 WASHINGTON, D.C. 20231  
 www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY.DOCKET.NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/718,717	11/22/2000	1636	790	ABGX- 001CON3	5	15	4

CONFIRMATION NO. 5842

CORRECTED FILING RECEIPT



\*OC000000006328665\*

Bret E Field  
 Bozicevic Field & Francis LLP  
 200 Middlefield Road Suite 200  
 Menlo Park, CA 94025

Date Mailed: 07/23/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

- ✓ Aya Jakobovits, Menlo Park, CA;
- ✓ Hirohisa Tsuda, Kanagawa, JAPAN;

## Domestic Priority data as claimed by applicant

✓ THIS APPLICATION IS A CON OF 09/348,747 07/06/1999 ABN  
 WHICH IS A CON OF 08/808,139 04/16/1997 PAT 5,998,209 ✓ *young fil*  
 WHICH IS A CON OF 08/426,555 04/21/1995 ABN ✓

## Foreign Applications

This Application is a CON of 09/348,747 07/06/1999 ABN  
 which is a CON of 08/808,139 02/28/97 PAT 5,998,209,  
 which is a CON of 08/426,555 04/21/1995 ABN

If Required, Foreign Filing License Granted 03/13/2001

Projected Publication Date: N/A

Non-Publication Request: No ✓

Early Publication Request: No ✓

## Title

✓ Generation of large genomic DNA deletions

*EP 8/2*  
 DOCKETED

Preliminary Class

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Data entry by : STOKES, TUSHOMBE

Team : OIPE

Date: 07/23/2001



**LICENSE FOR FOREIGN FILING UNDER  
Title 35, United States Code, Section 184  
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

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**PLEASE NOTE the following information about the Filing Receipt:**

- The articles such as "a," "an" and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new," "improved," "improvements in" or "relating to" are not included as first words in the title of an application because a patent application, by nature, is a new idea or improvement.
- The title may be truncated if it consists of more than 500 characters (letters and spaces combined).
- The docket number allows a maximum of 25 characters.
- If your application was submitted under 37 CFR 1.10, your filing date should be the "date in" found on the Express Mail label. If there is a discrepancy, you should submit a request for a corrected Filing Receipt along with a copy of the Express Mail label showing the "date in."
- The title is recorded in sentence case.

Any corrections that may need to be done to your Filing Receipt should be directed to:

Assistant Commissioner for Patents  
Office of Initial Patent Examination  
Customer Service Center  
Washington, DC 20231

UNITED STATES PATENT AND TRADEMARK OFFICE  
CERTIFICATE OF CORRECTION

PATENT NO. : 5,998,209  
DATED : December 7, 1999  
INVENTOR(S) : Ava Jokobovits and Hirohisa Tsuda

Page 1 of 1

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Please delete "Apr. 16, 1997" as the date the application was filed to the correct date of filing -- February 28, 1997 --.



Attest:

*Virginia Tolbert*

Attesting Officer

Signed and Sealed this

Second Day of October, 2001

*Nicholas P. Godici*

NICHOLAS P. GODICI  
Acting Director of the United States Patent and Trademark Office



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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/718,717	11/22/2000	Aya Jakobovits	ABGX-001CON3

1634

CONFIRMATION NO. 5842



Bret E Field  
Bozicevic Field & Francis LLP  
200 Middlefield Road Suite 200  
Menlo Park, CA 94025

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OC000000007780806\*

APR 11 2002

TECH CENTER 1600/2900

Date Mailed: 04/03/2002

**RESPONSE TO REQUEST FOR CORRECTED FILING RECEIPT**

**Claims, Fees, and Inventors**

In response to your request for a corrected Filing Receipt, the Office is unable to comply with the request because:

- The total number of claims appearing on the Filing Receipt does not include multiple dependent claims. The total fee appearing on the Filing Receipt includes the cost of multiple dependent claims that were present at the time the application was filed.
- The filing fee is correct. It may include additional claims fees and/or the surcharge under 37 CFR 1.16(e) for filing an oath/declaration or basic filing fee after the application filing date; or it may not reflect fees refunded to the applicant that were paid by mistake.
- The number of claims reflected on the filing receipt is correct. Upon review of the claims, it was found that there was a miscalculation by the applicant. This may be due to improperly presented multiple dependent claims, typographical error, misnumbering of the claims, or other oversight. An amendment may be necessary to correct the problem.
- The filing fee reflected on the filing receipt is correct. Applicant may have miscalculated the fees due.
- Applicant calculated fees as other than small entity; however, applicant asserted small entity status in the application. Therefore, fees were applied as small entity and the remainder was refunded to the applicant.
- The difference between the fees paid and the fees due was refunded to the applicant and will not be shown on the filing receipt.
- The inventor information may be truncated if the family name consists of more than 50 characters (letters and spaces combined) and if the given name consists of more than 50 characters (letters and spaces combined).

- The inventor's residence allows for up to 40 characters (letters and spaces combined).
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. (See MPEP 605.02).
- A petition to correct the inventorship is needed to make this change. See 37 CFR 1.48. For non-provisional applications, the petition should be directed to the Director of the examining group assigned to your application.
- Changes made after submission of an executed declaration to the inventor information other than correction of typographical errors must be submitted in the form of a substitute declaration. Change of inventorship requires a petition under 37 CFR 1.48.
- The number of drawings shown on the filing receipt reflects the number of drawing sheets submitted and is not necessarily equal to the number of figures submitted.
- The correspondence address was captured as directed by applicant on filing. If you wish correspondence to be directed otherwise, please submit a request for a change of address.
- The docket number allows a maximum of 25 characters.
- The person signing on behalf of the deceased inventor is reflected on the Filing Receipt as the legal representative.
- The filing date of a parent application cannot be changed by this request. A petition to correct the filing date in the parent application is required.

  
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